

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:19-CV-00103-KDB-DCK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES C. BALVICH,

Defendant.

ORDER

THIS MATTER is before the Court on the parties' Consent Motion to Stay Case, (Doc. No. 14), which asks for a general stay of this matter until April 17, 2020 due to limitations on travel and in-person gatherings in an attempt to slow the spread of COVID-19.

While the Court does not want to put the parties, attorneys, or support personnel in an unsafe position or a position that would cause them to violate recommendations or directives made by the federal, state, or local governments, the Court will not grant a general stay in this matter at this time. Despite limitations on travel and in-person gatherings, a stay implies that nothing, even discovery that could be safely accomplished, should proceed. Instead of a stay, for example, if a protective order is necessary to delay a response to a specific discovery request or discovery proceeding, or if a broader extension of time to complete discovery is necessary, the parties may apply to the Court for the appropriate relief. Most discovery can be conducted without the need for a physical presence and some depositions can be held remotely. In summary, the Court expects the parties and counsel to work cooperatively and use their best judgment as to what is permissible and appropriate during this time. Ultimately, all concerned will benefit from prudently moving the case forward even as circumstances may demand a more flexible schedule.

IT IS THEREFORE ORDERED that the parties' Consent Motion to Stay Case, (Doc. No. 14), is **DENIED** without prejudice to file motions for protective orders, a motion for extension of time, or other appropriate relief, if the parties cannot reasonably complete discovery by the May 1, 2020 deadline.

Signed: March 22, 2020



Kenneth D. Bell
United States District Judge

